REMARKS

Applicant is filing this Response within the shortened statutory period. Consequently, Applicant believes that no fee is due with this filing; however, if a fee is due please charge Deposit Account No. 122158.

Claims 1-4 were presented for examination. The Office Action mailed July 17, 2008 rejects claims 1-4. Claims 1-4 remain pending in the application.

Applicant thanks Examiner Wei for the courtesy of a telephonic interview on September 24, 2008. The Examiner and Applicant's representative, William Guerin, discussed independent claim 1 and its rejection under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,851,107 (hereinafter "Coad"). Mr. Guerin explained that Coad does not teach or suggest that its graphical and textual representations are independently modified between synchronizations and that Coad does not teach generation of a temporary artifact with the limitations recited in Applicant's claim 1. The explanation is set forth in more detail below.

Rejection of Claims 1-4 under 35 U.S.C. §102(b)

The Office Action rejects claims 1-4 under 35 U.S.C. 102(b) as being anticipated by Coad.

Development of software code is often based on the use of a software modeling tool. A software model is developed and code is then generated from the model. Code can be modified and the changes in the code are used to transform the software model. These back and forth synchronizations can be repeated until a final version of the code is established; however, changes can be made to the software model and changes can be made to the code between synchronization events as shown in Applicant's FIG. 2. Thus the changes made to the software model can conflict with the changes made to the code between synchronizations.

Coad discloses a method which allows a software developer to simultaneously view a graphical display and a textual display of source code. The described software development tool provides "simultaneous round trip engineering, i.e., the graphical representation 204 is

synchronized with the textual representation 206. Thus, if a change is made to the source code 202 via the graphical representation 204, the textual representation 206 is <u>updated automatically</u>. Similarly, if a change is made to the source code 202 via the textual representation 206, the graphical representation 204 is <u>updated to remain synchronized</u>." (Col. 4, line 61 to col. 5, line 2 with emphasis added) Thus Coad teaches only modification of one artifact which then triggers a synchronization of the other artifact.

In contrast, Applicant's method as recited in independent claim 1 includes modifying each artifact independently separate from a synchronization process, that is, "each artifact being modified independent of a modification to the other artifact after a last synchronization." (See, e.g., FIG. 2 of Applicant's specification.) Thus these recited modifications to the two artifacts can differ or conflict, and are not part of the synchronization process.

Moreover, Applicant's claim 1 recites the generation of "a temporary artifact having all the elements of a last synchronized version of the first artifact and having all the elements of a latest version of the second artifact transformed as the first artifact." (See, e.g., temporary model 30 in FIG. 3 of Applicant's specification.) Coad does not teach or suggest generating this type of artifact which is temporary in nature and which is a hybrid artifact that contains elements from a last synchronized version of a first artifact and having all the elements of a latest version of another artifact transformed as the first artifact.

For at least the reasons given above, Coad does not teach or suggest each and every limitation as recited in independent claim 1 and therefore Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. 102(b) be withdrawn. Claims 2-4 depend directly or indirectly from independent claim 1 and incorporate all of the limitations of claim 1. Therefore Applicant submits that dependent claims 2-4 are also patentably distinguishable over the cited reference for at least those reasons provided above in connection with claim 1, and Applicant respectfully requests that the rejection under 35 U.S.C. 102(b) of claims 2-4 also be withdrawn.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims that have not been expressed.

In view of the remarks made herein, Applicant submits that the application is in condition for allowance and request early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicant's representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003.

Respectfully submitted,

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